

Order

Michigan Supreme Court
Lansing, Michigan

June 15, 2011

Robert P. Young, Jr.,
Chief Justice

142339 & (42)

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

CEDRONI ASSOCIATES, INC.,
Plaintiff-Appellee,

v

SC: 142339
COA: 287024
Genesee CC: 08-088761-CK

TOMBLINSON, HARBURN ASSOCIATES
ARCHITECTS & PLANNERS, INC.,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the November 16, 2010 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.302(H)(1). At oral argument, the parties shall address whether the Court of Appeals erred when it determined that there are genuine issues of material fact as to: (1) whether the plaintiff, a disappointed low bidder on a public contract, had a valid business expectancy, and (2) whether the defendant architectural firm's communications, made pursuant to its agreement with the contracting school district, amounted to intentional and improper conduct sufficient to sustain a claim of tortious interference with a business expectancy. The parties may file supplemental briefs within 42 days of the date of this order, but they should not submit mere restatements of their application papers.

The motion for leave to file brief amicus curiae is GRANTED. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 15, 2011

Corbin R. Davis

Clerk